

CALFRESH (CF) PROGRAM

REQUEST FOR POLICY/REGULATION INTERPRETATION

INSTRUCTIONS: Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

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| 1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other: | 5. DATE OF REQUEST: 8/10/2016 | NEED RESPONSE BY: 8/24/2016 |
| 2. REQUESTOR NAME: | 6. COUNTY/ORGANIZATION: Yolo County | |
| 3. PHONE NO.: | 7. SUBJECT: Work Study Confusion | |
| 4. REGULATION CITE(S): 63-406, ACIN I-89-15 | 8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s). | |

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

There has been various conflicting responses given to counties regarding the work study exemption from the student eligibility rules. According to the major university in my county University of California, Davis, a student cannot be considered to be actually "awarded" or "approved" for work study unless they are actually working a work study job. Students may be financially eligible to work study but the funding is so limited that the number of students who can participate is extremely limited. CDSS in the past has issued instruction indicating that the student should not be penalized if funding runs out or they cannot find a work study job and more recently has completed a PI stating that "students who are not awarded work study due to limited funding do not meet the student exemption." My county has a large student population and we are very confused about how to treat this population. We would like some solid guidance. Has CDSS consulted with major universities to define what constitutes actually being approved for work study? (continued below)

10. REQUESTOR'S PROPOSED ANSWER:

Unsure, conflicting guidance

11. STATE POLICY RESPONSE (CFPB USE ONLY):

Current guidance (ACIN I-89-15 released on Dec. 31, 2015) states, if a student is approved for state or federally financed work study during a specific school term, anticipates working during that term, and has not refused a work assignment, that student remains eligible for an exemption from the student work rule.

MPP 406.212 states "be approved for state or federally financed work study for the current school term, as defined by the institution of higher education, and anticipate working during the school terms". Because CDSS is not a provider of work study, it cannot provide a statewide definition for "approved for work study". This definition is left to the local institution of higher education. (continued on page 2)

FOR CDSS USE

DATE RECEIVED:

DATE RESPONDED TO COUNTY/ALJ:

JR 10.17.16

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REQUEST FOR POLICY/REGULATION INTERPRETATION (Continued)

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Continued from above:

If it is true, as according to UC Davis, that a student cannot actually be considered approved for work study unless they actually a working a work study job, then it would provide concrete guidance and any information regarding jobs that are not available or lack of funding would become irrelevant.

It is my understanding from some emails I have from other counties that they will accept a financial aid award letter showing work study, however this is just verification of being eligible for work study not actual approval.

Based on previous guidance, we have been considering students for are financially eligible for work study (as verified by the university) as eligible for an exemption because the funding ran out and they couldn't award.

Questions:

What is considered approval of work study by CDSS?

What is acceptable verification of this?

State Policy Response (continued from page 1:

The two key conditions for this exemption are "approved" and "anticipate". Per state regulations, the definition of approved is defined by the local institution of higher education. The definition of anticipate is a student who can expect or foresee being assigned a work study job. Until the student has received notice from the institution of higher education that they were denied, the student can fairly anticipate that they may be offered a work study job. While state regulations use the term "approved," institutions of higher education often use the term "awarded" to convey the same meaning. Please note that approved and awarded may be used interchangeably.

In this case, if UC Davis has indicated that a student is not considered awarded or approved for work study, unless they are actually working, then the student has not been approved or awarded work study. The exemption can only be granted if the student has verified that they have been approved for federal or state work-study. Future guidance on this topic will be issued via All County Letter anticipated for release this fall.

Per ACIN I-45-11, acceptable verification of approval for work study may include, but is not limited to, a work study award letter from financial aid.